

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:19-cv-00178-MR**

AMY MICHELLE AUSTIN,)
)
 Plaintiff,)
)
 vs.)
)
 SWAIN COUNTY DETENTION)
 CENTER, et al.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on periodic status review.

Pro se Plaintiff filed this action pursuant to 42 U.S.C. § 1983 while she was in the custody of the Swain County Detention Center. [Doc. 1]. The Complaint passed initial review on claims of unconstitutional conditions of pretrial detention. [Doc. 9]. The Court ordered the Clerk to mail Plaintiff a copy of the Order on initial review and blank summons forms to Plaintiff to fill out and return so that Defendants can be served. [Doc. 9 at 5]. The Clerk mailed the Order and blank summons forms to Plaintiff, but the mail was returned as undeliverable with a notation “attempted – not known unable to forward.” [Doc. 12]. A copy of the Order waiving the initial partial filing fee was also returned as undeliverable. [Doc. 11].

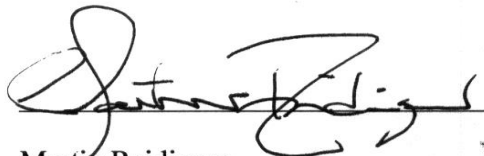
Plaintiff was notified upon commencement of this action that it is “Plaintiff’s responsibility to keep the Court advised of his/her current address at all time” and “[i]f the Plaintiff’s address changes and no Notice [of Change of Address] is promptly filed with the Clerk of Court, this case may be dismissed for lack of prosecution.” [Doc. 4 at 2].

It appears that Plaintiff may have abandoned this action. Plaintiff shall file, within **ten (10) days** of this Order, the completed summons forms so that Defendants may be served. Failure to comply with this Order will result in dismissal of this action without prejudice and this case’s closure without further notice.

IT IS, THEREFORE, ORDERED that Plaintiff **shall have ten (10) days from the date of this Order** in which to fill out and return the completed summons forms. If Plaintiff fails to do so, this case will be dismissed without prejudice and closed without further notice to Plaintiff.

The Clerk is instructed to mail a copy of this Order, the Order on initial review [Doc. 9] and blank summons forms to Plaintiff.

IT IS SO ORDERED.


Martin Reidinger
United States District Judge

